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the purpose of receiving, manufacturing, storing, and handling crude and refined oil and its by-products, and the marketing of the same, are held, in *State ex rel. Coleman v. Kelly* (Kan.), 70 L. R. A. 450, to constitute a "work of internal improvement."

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**False Imprisonment—Probable Cause—Evidence.**—When the facts upon which probable cause for an arrest depend are in dispute, it is held, in *Stoecker v. Nathanson* (Neb.), 70 L. R. A. 667, that the question of the existence of such cause must be left to the jury for determination under proper instructions by the court.

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**Master and Servant—Assumption of Risk.**—Negligence or error of judgment, of a competent foreman having authority to hire and discharge the men, in refusing to permit the selection, from a store of rope, of a piece sufficient for the use intended, and insisting upon the use of a piece which proves to be insufficient, is held, in *Vogel v. American Bridge Co.* (N. Y.), 70 L. R. A. 725, not to render the master liable for a resulting injury to a workman, since the risk of injury from such fault is assumed by the men as incidental to the execution of the work in its details.

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**Liability of Master for Torts of Servant.**—The act of a railroad employee, under direction of his foreman, who has been sent by the general superintendent to erect a snow fence upon private property of an abutting owner, in assaulting an employee of the latter who has been sent by the owner of the property to remonstrate against the erection of the fence, is held, in *Waler v. Great Northern R. Co.* (S. D.), 70 L. R. A. 731, not to be within the scope of his employment. The liability of an employer for acts of a servant sent to commit a trespass, which the employer claims were in excess of his authority, is the subject of a note to this case.